

***Effective 7/1/2014***

**57-8a-212 Content of a declaration.**

- (1) An initial declaration recorded on or after May 10, 2011 shall contain:
  - (a) the name of the project;
  - (b) the name of the association;
  - (c) a statement that the project is not a cooperative;
  - (d) a statement indicating any portions of the project that contain condominiums governed by Chapter 8, Condominium Ownership Act;
  - (e) if the declarant desires to reserve the option to expand the project, a statement reserving the option to expand the project;
  - (f) the name of each county in which any part of the project is located;
  - (g) a legally sufficient description of the real estate included in the project;
  - (h) a description of any limited common areas and any real estate that is or is required to become common areas;
  - (i) any restriction on the alienation of a lot, including a restriction on leasing; and
  - (j)
    - (i) an appointment of a trustee who qualifies under Subsection 57-1-21(1)(a)(i) or (iv); and
    - (ii) the following statement: "The declarant hereby conveys and warrants pursuant to U.C.A. Sections 57-1-20 and 57-8a-302 to (name of trustee), with power of sale, the lot and all improvements to the lot for the purpose of securing payment of assessments under the terms of the declaration."
- (2) A declaration may contain any other information the declarant considers appropriate, including any restriction on the use of a lot, the number of persons who may occupy a lot, or other qualifications of a person who may occupy a lot.
- (3) The location of a limited common area or real estate described in Subsection (1)(g) may be shown on a subdivision plat.

Amended by Chapter 152, 2013 General Session